

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ALTERNATIVE RATE FILING APPLICATION OF ) CASE NO.  
HILLRIDGE FACILITIES, INC. ) 2010-00426

ORDER

On November 1, 2010, Hillridge Facilities, Inc. ("Hillridge Facilities") filed an application for a rate adjustment pursuant to 807 KAR 5:076. Several customers<sup>1</sup> of Hillridge Facilities have filed motions to intervene in this proceeding. By this Order, we deny their motions.

The only person entitled to intervene as a matter of statutory right in this rate-making proceeding is the Attorney General ("AG").<sup>2</sup> Intervention by all others is permissive and is within the Commission's discretion.<sup>3</sup> In exercising its discretion to determine permissive intervention, the Commission follows 807 KAR 5:001, Section 3(8), which provides:

If the Commission determines that a person has a special interest in the proceeding which is not otherwise adequately represented or that full intervention by party is likely to present issues or to develop facts that assist the commission in fully considering the matter without unduly complicating or disrupting the proceedings, such person shall be granted full intervention.<sup>4</sup>

---

<sup>1</sup> The names and addresses of these customers are listed in the Appendix to this Order.

<sup>2</sup> KRS 367.150(8)(b).

<sup>3</sup> Inter-County Rural Elec. Cooperative v. Publ. Serv. Comm'n, 407 S.W.2d 127, 130 (Ky. 1966).

<sup>4</sup> 807 KAR 5:001, Section 3(8)(b).

In their requests, the customers do not articulate that they have a special interest in this proceeding or that they are likely to present issues or to develop facts that will assist the Commission in resolving this matter. They note only that they are customers of Hillridge Facilities and oppose the proposed rate adjustment. To the extent that they are consumers, the AG has been granted full intervention and has the obligation to appear before the Commission to represent consumers' interests.<sup>5</sup>

As the customers have failed to satisfy the requisites of 807 KAR 5:001, Section 3(8), their requests for intervention should be denied. Although not granted intervenor status, these customers will have ample opportunity to participate in this proceeding by submission of written comments by regular mail, electronic mail<sup>6</sup> or facsimile<sup>7</sup> or at the public hearings to be scheduled in these matters. They may also monitor all activities in this case and all documents filed in this proceeding through the Commission's website.<sup>8</sup>

IT IS THEREFORE ORDERED that the requests for intervention of the persons listed in the Appendix to this Order are denied.

---

<sup>5</sup> KRS 367.150(8)(b); see also Case No. 2007-00337, *Joint Application of Louisville Gas and Electric Company, Association of Community Ministries, Inc., People Organized and Working for Energy Reform, and Kentucky Association for Community Action, Inc. for the Establishment of a Home Energy Assistance Program*, Application at 7 (Ky. PSC Sept. 14, 2007) (denying limited intervention to an individual on the grounds that the AG was a full intervenor).

<sup>6</sup> Comments may be e-mailed to [psc.info@psc.ky.gov](mailto:psc.info@psc.ky.gov).

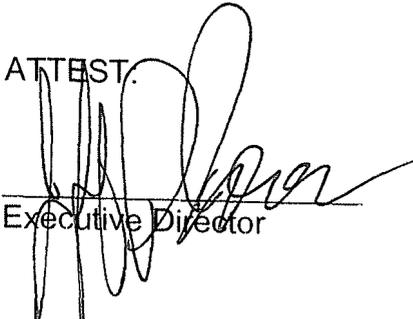
<sup>7</sup> Facsimiles may be submitted to the Commission at (502) 564-3460.

<sup>8</sup> All documents filed in this proceeding may be viewed at or downloaded from the Commission's website at <http://psc.ky.gov/pscscf/2010%20cases/2010-00426/>.

By the Commission

ENTERED *mi*  
JAN 24 2011  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST.

  
Executive Director

Case No. 2010-00426

APPENDIX JAN 24 2011

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE  
COMMISSION IN CASE NO. 2010-00426

PERSONS DENIED INTERVENTION

Ms. Lucy Sims  
9007 Lethborough Drive  
Louisville, Kentucky 40299

Ms. Brenda Cox  
9009 Lethborough Drive  
Louisville, Kentucky 40299

Mr. Larry Harmon  
Ms. Rita Harmon  
9021 Lethborough Drive  
Louisville, Kentucky 40299

Mr. Robert Dobbs  
Ms. Nancy Dobbs  
8907 Lacosta Road  
Louisville, Kentucky 40299

Ms. Jean Fortwengler  
9013 Lethborough Drive  
Louisville, Kentucky 40299

Ms. Bonnie G. Jackson  
3903 Lethborough Court  
Louisville, Kentucky 40299

Mr. Robert Bruckert  
Ms. Carol Bruckert  
9308 Le Beau Court  
Louisville, Kentucky 40299-3365

Mr. Donald R. Snyder  
Ms. Catherine Snyder  
8908 Collingswood Road  
Louisville, Kentucky 40299

Mr. Chris Reece  
4207 Stony Brook Drive  
Jeffersontown, Kentucky 40299

Mr. John A. Hayes  
4200 San Marcos Road  
Louisville, Kentucky 40299

Mr. Deborah M. Feige  
8706 Avondale  
Louisville, Kentucky 40299

Ms. Pamela Atkinson  
9005 Collingwood Road  
Louisville, Kentucky 40299

Mr. Scott T. Hall  
8807 Avondale Court  
Louisville, Kentucky 40299-1303

Ms. Mary Helen Vaughn  
8911 La Costa Road  
Louisville, Kentucky 40299

Mr. Joseph Vogt  
Ms. Jacqueline Vogt  
9203 LeBeau Court  
Louisville, Kentucky 40299

Mr. James L. Ridenour  
Ms. Mary Jo Ridenour  
8909 LaCosta Road  
Louisville, Kentucky 40299

Mr. Bernard Fussenegger  
Ms. Joyce Fussenger  
3905 Lethborough Court  
Jeffersontown, Kentucky 40299

Mr. Sammie L. Neal  
9023 Lethborough Drive  
Louisville, Kentucky 40299

Sonja Ridge  
Hillridge Facilities, Inc.  
17825 Bradbe Road  
Fisherville, KY 40023

Honorable David Edward Spenard  
Assistant Attorney General  
Office of the Attorney General Utility & Rate  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601-8204

Laurence J Zielke  
Zielke Law Firm PLLC  
1250 Meidinger Tower  
462 South Fourth Avenue  
Louisville, KY 40202-3465